



OFFICE OF THE CHIEF JUSTICE
SUPREME COURT
MANILA

8 August 2016

PRESIDENT RODRIGO ROA DUTERTE

President of the Philippines
Malacañan, Manila

Through: Secretary Vitaliano Aguirre
Department of Justice

Dear Mr. President:

I hope that this letter finds you in an excellent state of health and spirit as the country needs the leadership that only its President can provide. I congratulate you for outlining very timely and responsive peace and development objectives in your State of the Nation Address.

Allow me to give some observations on seven judges whom you had named in your speech on Sunday morning in Davao City as being involved in illegal drugs, namely:

1. Judge Mupas of Dasmarinas, Cavite
2. Judge Reyes, Baguio City
3. Judge Savilo, RTC Branch 13, Iloilo City
4. Judge Casiple, Kalibo, Aklan
5. Judge Rene Gonzales, MTC, (unknown province)
6. Judge Natividad, RTC Calbayog City
7. Judge Ezekiel Dagala, MTC, Dapa, Siargao

Lorenda Mupas was dismissed in 2007 as MTC Judge of Dasmarinas, Cavite for gross ignorance of the law/misconduct. We request that her

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dishonorable discharge be duly considered and that she be not referred to as part of the judiciary as of nine years ago.

Judge Roberto Navidad, formerly of the RTC, Branch 32, Calbayog City, Samar was killed on 14 January 2008 at the age of 69.

Judge Rene Gonzales, formerly of the MTCC, Branch 7, Iloilo City, compulsorily retired last 20 June 2016.

Judge Exequil Dagala of the MTC, Dapa-Socorro, Surigao, does not have jurisdiction over drugs cases, the same way that Judge Gonzales does not. It would be very helpful if the investigators who included the names of Judges Dagala and Gonzales inform the Court how these MTC judges can be considered as influencing the drug trade.

Judge Adriano Savillo, RTC, Branch 30, Iloilo City is a family court judge who does not have jurisdiction over drugs cases except in cases where a minor is a respondent.

Judge Domingo Casiple, RTC, Branch 7, Kalibo, Aklan is the judge of a court of general jurisdiction without jurisdiction over drugs cases, i.e., until our recent decision to make all RTCs as drugs courts is implemented with the appropriate administrative circular. It would be helpful to know the specifics on how judges without jurisdiction over drugs cases influence the drug trade in their localities.

Judge Antonio Reyes, RTC, Branch 61, Baguio City, Benguet presides over the designated drugs court in that multi-sala court.

The Court would consider it important to know the source and basis of any allegation that specific judges are involved in the illegal drugs trade in line with its duty to exercise administrative supervision over all lower courts. The Court looks with alarm at the proliferation of drugs, in a consensus shared with you, Mr. President, that dangerous drugs have been destroying Filipino lives and families. We abhor its ability to even destroy public institutions, thus our proactive investigation of any report that judges and court personnel abet the drug trade. We are currently investigating a report on a judge who may be so involved. He is not on the above list.




However, Mr. President, a premature announcement of an informal investigation on allegations of involvement with the drug trade will have the unwarranted effect of rendering the judge veritably useless in discharging his adjudicative role. Thus this Court has been careful, all too aware that more often than not, a good reputation is the primary badge of credibility and the only legacy that many of our judges can leave behind. Too many of our judges have been assassinated, 26 since 1999, a large proportion of them reportedly at the behest of crime lords, more specifically, drug lords. Allow me to submit a separate update on this matter.

In order not to cause disruption to public service, we have administrative mechanisms in place to ensure that another judge take over the place of a suspended or disciplined judge. As it appears now, the announcement of the names of some judges is expected to cause problems with the scheduled hearings and conferences in their salas. With all due respect, Mr. President, we were caught unprepared by the announcement. It would matter greatly to our sense of constitutional order, if we were given the chance to administer the appropriate preventive measures without the complications of a premature public announcement.

Moreover, because of the extrajudicial killings, which you had spoken out against, perpetrated by persons and groups that remain unidentified, our judges may have been rendered vulnerable and veritable targets for any of those persons and groups who may consider judges as acceptable collateral damage in the "war on drugs." Also, because we do not have the personnel to protect our judges, we have requested the Philippine National Police to authorize them to carry defensive firearms. We request that you reconsider your reported order that the judges you named, with the above clarification on who these are, continue to bear these licensed self-defense weapons, if any, until a proper investigation concludes that formal criminal charges should be brought against them.

As the sole entity charged with the discipline of judges, the Supreme Court decides when judges are excused from bench duty and report to it. We appreciate your zeal in helping us cleanse the ranks of the judiciary of misfits but we assure you, Mr. President, even an informal report from the President or his appropriate alter egos would be sufficient to spur us to action and conduct the investigation immediately without need of requiring them to report physically to any entity and cancel scheduled court activities.

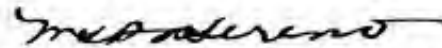


To safeguard the role of the judges as the protector of constitutional rights, I would caution them very strongly against "surrendering" or making themselves physically accountable to any police officer in the absence of any duly-issued warrant of arrest that is pending.

Mr. President, the judiciary shares with you and the Filipino people a common desire to see a country that is rid of drugs, in the same manner that you share with the judiciary and the Filipino people a common desire to see a country that is governed by the rule of law.

Please accept my warmest regards and my assurance of continued fervent prayers for your success.

Very truly yours,



MARIA LOURDES P. A. SERENO
Chief Justice